

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

LEAGUE OF UNITED LATIN AMERICAN
CITIZENS, *et al.*,

Plaintiffs,

v.

GREG ABBOTT, *et al.*,

Defendants.

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Case No. 3:21-cv-259
[Lead Case]

UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF TEXAS, *et al.*,

Defendants.

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Case No. 3:21-cv-299
[Consolidated Case]

AMENDED NOTICE OF APPEAL

Legislators, legislative staff, and Lieutenant Governor Dan Patrick (collectively, “the legislators”) hereby amend their notice of appeal to include this Court’s related Order entered November 16, 2022, further compelling the legislators to produce documents. *See* Order, ECF 642; Notice of Appeal, ECF 489.¹

¹ Appellants are Lieutenant Governor Dan Patrick, Representative Tom Craddick, Representative Ryan Guillen, Representative Todd Hunter, Representative Jacey Jetton, Representative Ken King, Representative Brooks Landgraf, Representative Geanie Morrison, Representative Andrew Murr, Senator Joan Huffman, Adam Foltz, Koy Kunkel, Anna Mackin, and Sean Opperman. The pending appeal in the Fifth Circuit regarding the legislators’ documents is *LULAC v. Patrick*, No. 22-50662.

On July 26, 2022, the legislators appealed this Court’s Order of July 25, 2022. *See* Order Enforcing Third-Party Subpoenas, ECF 467 (“July Order”); Notice of Appeal, ECF 489. That Order granted in part the United States’ motion to enforce third-party subpoenas *duces tecum* against Texas legislators and legislative employees and ordered the legislators to produce documents that had been withheld as legislatively privileged. Order, ECF 467. Also as part of the July Order, this Court ordered the legislators to provide a subset of documents to the Court for in camera review of the legislators’ attorney–client privilege objections. *Id.* The legislators appealed the July Order and obtained a stay. *See* Stay Order, *LULAC v. Patrick*, No. 22-50662 (5th Cir. July 27, 2022).

This Court has now completed its in camera review and has ordered additional documents to be produced. *See* Order, ECF 642. The legislators amend their notice of appeal so that this related order may be included as part of the pending appeal of the July Order, currently pending in the Fifth Circuit. *See LULAC v. Patrick*, No. 22-50662.

Date: December 9, 2022

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing document was filed electronically (via CM/ECF) on December 9, 2022, and that all counsel of record were served by CM/ECF.

/s/ Ari M. Herbert
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